

later than the effective date of this part. In the event nominations for initial members and alternate members of the committees are not filed pursuant to, and within the time specified in, this section, the Secretary may select such initial members and alternate members without regard to nominations, but selections shall be on the basis of the representation provided for in § 924.20.

(b) *Successor members.* (1) Except as may otherwise be prescribed pursuant to paragraph (b)(3) of this section, the committee shall hold or cause to be held, not later than March 1 of each year, a meeting or meetings of growers and handlers in each district for the purpose of designating nominees for successor members and alternate members of the committee. At each such meeting a chairman and a secretary shall be selected by the growers and handlers eligible to participate therein. The chairman shall announce at the meeting the number of votes cast for each person nominated for member or alternate member and shall submit promptly to the committee a complete report concerning such meeting. The committee shall, in turn, promptly submit a copy of each such report to the Secretary.

(2) Only growers, including duly authorized officers or employees of corporate growers, who are present at such nomination meetings may participate in the nomination and election of nominees for grower members and their alternates. Each grower shall be entitled to cast only one vote for each nominee to be elected in the district in which he produces prunes. No grower shall participate in the election of nominees in more than one district in any one fiscal year. If a person is both a grower and a handler of prunes, such person may vote either as a grower or as a handler but not as both.

(3) Only handlers, including duly authorized officers or employees of handlers, who are present at such nomination meetings, may participate in the nomination and election of nominees for handler members and their alternates: *Provided*, That, in the event the committee determines that attendance at such nomination meetings is not representative of handlers generally, it

may, with the approval of the Secretary, obtain nominations for handler members and their alternates by mail ballot. Each handler shall be entitled to cast only one vote for each nominee to be elected in the district in which he handles prunes, which vote shall be weighted by the volume of prunes handled by such handler during the then current fiscal year. No handler shall participate in the election of nominees in more than one district in any one fiscal year. If a person is both a grower and a handler of prunes, such person may vote either as a grower or as a handler but not as both.

#### **§ 924.23 Selection.**

From the nominations made pursuant to § 924.22, or from other qualified persons, the Secretary shall select the 6 grower members of the committee, the 3 handler members of the committee, and an alternate for each such member.

#### **§ 924.24 Failure to nominate.**

If nominations are not made within the time and in the manner prescribed in § 924.22, the Secretary may, without regard to nominations, select the members and alternate members of the committee on the basis of the representation provided for in § 924.20.

#### **§ 924.25 Acceptance.**

Any person selected by the Secretary as a member or as an alternate member of the committee shall qualify by filing a written acceptance with the Secretary promptly after being notified of such selection.

#### **§ 924.26 Vacancies.**

To fill any vacancy occasioned by the failure of any person selected as a member or as an alternate member of the committee to qualify, or in the event of the death, removal, resignation, or disqualification of any member or alternate member of the committee, a successor for the unexpired term of such member or alternate member of the committee shall be nominated and selected in the manner specified in §§ 924.22 and 924.23. If the names of nominees to fill any such vacancy are not made available to the Secretary